

### REMARKS

Reconsideration of this application is respectfully requested.

Upon entry of the amendment, Claims 1-8 will be pending.

#### Claim Rejections Under 35 U.S.C. § 103

Applicant respectfully submits that the following claims, as amended, overcome the Examiner's rejections in light of the many advantages and distinctions of Applicant's invention in comparison with the inventions described within the cited references.

Claims 1-3 were rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,645,280 issued to *Zelmer*. *Zelmer* teaches a plurality of sets of cards with word definitions, directions, or vocabulary-related questions and answers. Applicant respectfully points out that the present invention is an educational system which utilizes different types of cards to assist a user master several basic business skills. Claim 1 of Applicant's invention has been amended to further distinguish principle and strategy words from mere ordinary words.

The language of Claim 1 already distinguishes principle cards and strategy cards from mere ordinary cards. For example, lines 8-9 of Claim 1 states that each principle card has a principle word written upon its front side. Further, lines 12-13 of Claim 1 state that each principle card has a phrase, each representing a tactic, written upon it. Strategy cards are distinguished from mere ordinary cards by the language of Claim 1, lines 9-10, which state that principle words appear upon a series of strategy cards. In other words, a certain set of strategies associated with a given principle are grouped together. Each phrase, representing a tactic, appears upon a series of strategy cards, and are associated with its principle card. It is the unique inter-relation of the principle and strategy words and cards that distinguish Applicant's invention over *Zelmer*.

A

Claim 1 of Applicant's invention comprises a unique element, namely an acronym, which is completely lacking in *Zelmer*. Claim 3 further defines the acronym in Applicant's invention as comprising the first letter of the strategy word appearing on the succeeding strategy card provided it has the identical principle word as the principle card containing the acronym. The acronym is specifically designed to be an easy-to-remember-word, thereby allowing the user to associate it with its principle word and corresponding strategy words. While, ordinarily, the first letter of each strategy word taken together might be a mere aggregation of letters, the use of an acronym provides for easy recall and retention of the strategy words that comprise it. *Zelmer* makes no use of such a technique. It would not have been obvious for one skilled in the art at the time of the invention to have created an acronym scheme to further assist the user in learning the business disciplines portrayed in Applicant's system.

Claims 4 and 5 were rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over *Zelmer* in view of U.S. Patent No. 3,823,492 issued to *Allain*. The Examiner believes that although *Zelmer* does not mention the use of color-coding, *Allain* teaches the use of color-coded cards.

Once again Applicant respectfully points out that *Zelmer* does not utilize an acronym scheme, nor does it incorporate the inter-relation of principle words and cards with corresponding strategy words and cards. Applicant's invention is designed so that it can be used sequentially, in card order; in a modular fashion, using a set of similarly-coded cards, all referring to a common business scheme; or randomly, using one card, without the others, to learn the skill presented by that particular card. This feature is not present in the cited references. Therefore, it would not have been obvious for one skilled in the art at the time of the invention to have combined the teachings of *Allain* and *Zelmer* to create the educational system of the present invention that utilizes a color-coding system with an acronym

scheme to form a unique business-oriented educational system that can be used in a variety of diverse ways.

Claims 6-9 were rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over *Zelmer* in view of *Allain* and further in view of U.S. Patent No. 4,419,080 to *Erwin*.

As discussed above, Applicant's invention utilizes a unique inter-relationship of principle and strategy words and cards, combined with an acronym scheme which allows for easy retention of key business principles and strategies. It would not have been obvious for one skilled in the art at the time of the invention to have combined the teachings of *Zelmer*, *Allain* and *Erwin* to achieve the educational system claimed in Applicant's invention which utilizes sketches to illustrate strategy words and business concepts. Further, Claim 7 has been amended to further describe the directive text which appears after the strategy word to which it refers.

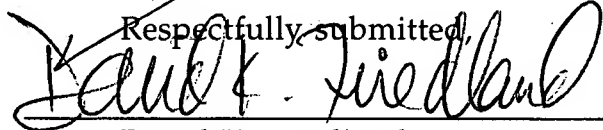
Applicant further emphasizes the flexibility of the present invention. While the other references disclose games which are played in a sequence, with a specific order of play, Applicant's invention can be used in a modular, sequential, or random fashion, and need not be utilized only sequentially, as many other similar systems must.

CONCLUSION

It is believed that the above amendment and response are completely responsive to the Official Action mailed September 1, 1998, and that the application is now in condition for allowance. Such action is respectfully solicited. If the Examiner believes that there are any issues which can be resolved by a telephone conference or that any informalities remain which can be corrected by an Examiner's amendment, a telephone call to the undersigned at (305) 448-7089 is respectfully solicited.

Dated: December 1, 1998

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David K. Friedland", written over a horizontal line.

David K. Friedland  
Registration No. 34,822

LOTT & FRIEDLAND  
255 Alhambra Circle  
Suite 555  
Coral Gables, Florida 33134  
(305) 448-7089  
Docket No. 13023-1-0010